



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX
WASHINGTON DC 20370-5100

JLP:ddj
Docket No: 2717-00
19 July 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 18 July 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 5420 PERS 91 of 6 June 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

5420
PERS 91
6 Jun 00

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION
OF NAVAL RECORDS

Via: BCNR Coordinator (PERS-00ZCB)

Subj: REQUEST FOR INFORMATION IN THE CASE OF [REDACTED]

Ref: (a) COMNAVRESFORINST 1001.5C
(b) BUPERSINST 1430.16D

Encl: (1) BCNR Case File 2717-00

1. Enclosure (1) is forwarded with the following comments and recommendations:

a. We do not support PH2 Anderson's petition for reinstatement of his rate to PH1 with associated pay and allowances. The process by which he was accessed into the Selected Reserve in a pay billet and the associated administrative reduction in rate was per references (a) and (b). There is no injustice or error in this case.

2. Additional questions may be directed to PN2 King at (901) 874-4504

A handwritten signature in dark ink, appearing to read "CBL", is located above the typed name of the Director.

C. B. LAPORTE
Director, Naval Reserve Personnel
Administration Division